

# MEMO ENDORSED



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
200 VESEY STREET, SUITE 400  
NEW YORK, NY 10281-1022

NANCY A. BROWN  
TELEPHONE: (212) 336-1023  
EMAIL: BROWN@SEC.GOV

December 20, 2018

**Via ECF and UPS Overnight**

Hon. Edgardo Ramos  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: SEC v. Honig, et al.;  
No. 18 Civ. 8175 (ER)

Dear Judge Ramos:

We represent the Plaintiff, Securities and Exchange Commission ("Commission"), in this action.

On December 7, 2018, the Court "so ordered" a stipulation among the parties regarding the Commission's intention to file an Amended Complaint in this action by January 4, 2019, and setting a briefing schedule for certain Defendants' intended Motions to Dismiss (the "December 7 Stipulation"). (DE 65.)

Since that time, certain Defendants have agreed to settlements in principle with the Commission, and those settlements are pending Commission review and approval. Certain other Defendants have approached the staff to discuss possible settlement and to share their views about the allegations in the existing Complaint. With those developments in mind, and to allow sufficient time for the settlement approval process and possible resolution with other Defendants, the Commission sought Defendants' agreement to extend the dates in the December 7 Stipulation by about a month. That proposed stipulation provided for the Amended Complaint filing to be moved from January 4, 2019 to February 8, 2019, and set a briefing schedule for the Motions to Dismiss, if any, that would begin March 29, 2019.

Although all 19 of the Defendants appearing in this action had consented to the Commission's previous request for consent to amendment and the briefing schedule set out in the December 7 Stipulation, two – Defendants Ladd and Brauser (and his entity, Defendant Grander Holdings, Inc.) – now oppose extending the Commission's time to file the Amended Complaint to February 8, 2019. Accordingly, and pursuant to Paragraph 2(A)(ii) of the Court's Individual Practices, we submit this letter to respectfully request a pre-motion conference prior to our filing a Motion for Leave to Amend pursuant to Fed. R. Civ. P. 15(a)(2).

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Recognizing the scheduling difficulties in the period between now and January 4 (including three federal holidays when the Courts are closed), we respectfully request that the Court adjourn the Commission's time to file an Amended Complaint pending the resolution of the Commission's request for leave to move to amend.

Respectfully submitted,



Nancy A. Brown

cc: All Defendants via email

Plaintiff's request for an extension of the deadline to file an Amended Complaint is GRANTED. Plaintiff has until February 8, 2019, to file an Amended Complaint.

Any Defendant who wishes to file a Motion to Dismiss the Amended Complaint shall serve and file its Motion and supporting papers by March 29, 2019, unless otherwise ordered by the Court.

Plaintiff's request for a pre-motion conference is DENIED as moot.

It is SO ORDERED.



Edgardo Ramos, U.S.D.J

Dated: 12/21/2018

New York, New York